

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-v-	:	20-cr-110 (LJL)
ISABELLA POLLOK,	:	
	:	<u>ORDER</u>
Defendant.	:	
	:	
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LEWIS J. LIMAN, United States District Judge:

By letter motion dated February 16, 2023, defendant Isabella Pollok (“Defendant”) requests that Brooke Cucinella be permitted to read a letter from Claudia Drury aloud at Defendant’s sentencing. Dkt. No. 625. The request is denied.

Under the Crime Victim Crime Victims’ Rights Act, 18 U.S.C. § 3771, victims have “the right to be reasonably heard at any public proceeding in the district court involving . . . sentencing.” 18 U.S.C. § 3771(a)(4). This right may be asserted by the “crime victim or the crime victim’s lawful representative.” *Id.* § 3771(d)(1). At the sentencing of defendant Lawrence Ray, Ms. Cucinella stated that she was “no longer representing” Ms. Drury and was her “friend.” Dkt. No. 611 at 9. Ms. Cucinella is thus not Ms. Drury’s “lawful representative” and cannot assert Ms. Drury’s rights under the statute. *See United States v. Turner*, 367 F. Supp. 2d 319, 329–31 (E.D.N.Y. 2005).

The Court permitted Ms. Cucinella to read Ms. Drury’s letter at the sentencing of Mr. Ray because the Court had not yet received a copy. In the case of Defendant, the Court has received and reviewed Ms. Drury’s letter and will consider it at Defendant’s sentencing. The letter also has been docketed. *See* Dkt. No. 622. There is no need for it to be read aloud if the reading is to be done by someone other than the victim.

The Clerk of Court is respectfully directed to close Dkt. No. 625.

SO ORDERED.

Dated: February 17, 2023
New York, New York


LEWIS J. LIMAN
United States District Judge